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$$\left. \begin{array}{l}) \\) \\) \\) \\) \\) \\) \\) \\) \end{array} \right\}$$

Plaintiff,

V.

ORDER

Defendants.

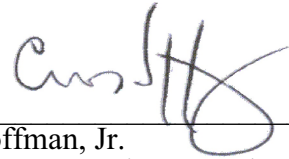
Defendants move to strike Plaintiff’s renewed motion for summary judgment (ECF No. 57), arguing that it is a successive motion and duplicative of Plaintiff’s first motion for summary judgment (ECF No. 46). The Ninth Circuit has held that “allowing a party to file a second motion for summary judgment is logical, and it fosters the just, speedy, and inexpensive resolution of suits.” *Hoffman v. Tonnemacher*, 593 F.3d 908, 911 (9 th Cir. 2010) (internal quotation marks omitted). However, as Defendants note, courts “retain discretion to weed out frivolous or simply repetitive motions.” *Id.*

Further, while Plaintiff's renewed motion for summary judgment does repeat some arguments from the previous motion, it also contains arguments and exhibits not previously included. The

1 Court finds that the motion is neither duplicative nor frivolous. Therefore, the Court will consider
2 both of Plaintiff's motions for summary judgment.

3 IT IS THEREFORE ORDERED that Defendant's motion to strike (ECF No. 61) is DENIED.

4 DATED: May 18, 2017.

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7 C.W. Hoffman, Jr.
8 United States Magistrate Judge
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